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Attorney Reference Number 2747-67101
PLANT PATENT

EXPRESS MAIL NO. EV339206321US
DATE OF DEPOSIT: May 18, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

22782 U.S. PTO
10/848733



Transmitted herewith for filing is the plant patent application of:

Inventor(s): Keith W. Zary, Ph.D.

For: FLORIBUNDA ROSE PLANT NAMED 'JACARQUE'

Enclosed are:

- ☒ Plant patent application, including Combined Declaration and Power of Attorney (in duplicate).
- ☒ 1 sheet(s) of drawings (in duplicate).
- ☒ A Request for Non-publication and Certification under 35 U.S.C. § 122(b)(2)(B)(i) is enclosed.
- ☒ Address all correspondence to the address associated with
CUSTOMER NUMBER 24197
- ☒ Total filing fee: **530.00**
- ☒ A check in the amount of \$530.00 to cover ☒ filing fee and ☐ assignment recordal fee is enclosed.
- ☒ The Director is hereby authorized to charge any additional fees that may be required in connection with the filing of this application and recording any assignment filed herewith, or credit overpayment, to Account No. 02-4550. A copy of this sheet is enclosed.
- ☒ Please return the enclosed postcard to confirm that the items listed above have been received.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

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By

Kenneth S. Klarquist
Registration No. 16,445

cc: Docketing

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Keith W. Zary, Ph.D.

For: FLORIBUNDA ROSE PLANT NAMED 'JACARQUE'

Date Mailed: May 18, 2004

COMMISSIONER FOR PATENTS
P.O. BOX 1450
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REQUEST FOR NON-PUBLICATION AND CERTIFICATION UNDER

35 U.S.C. § 122(b)(2)(B)(i)

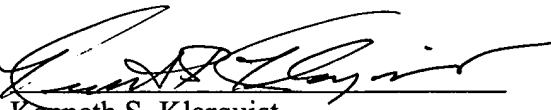
Applicant may rescind this nonpublication request at any time. See "Request to Rescind Previous Nonpublication Request". If applicant rescinds a request that an application not be published under 35 U.S.C. § 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. § 122 (b)(2)(B)(iii)).**

This request is signed in compliance with 37 CFR § 1.33(b) and is submitted with the application **upon filing**. I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. § 122(b).

Respectfully submitted,

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